

FACSIMILE *BROWN MARTIN HALLER & McCLAIN*

1660 Union Street, San Diego, California 92101

Telephone: (619) 238-0999

Facsimile: (619) 238-0062

TO FAX NO.: 703-746-9448

ATTN: Examiner Paula W. Klimach

COMPANY: US Patent & Trademark Office

FROM: Heidi L. Eisenhut

Number of pages: 4
(including cover page)

Date of transmission: December 9, 2003

Client No.: 2322-0482

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Subject/comments:

Operator: Linda Thompson

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JAN 15 2004

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FACSIMILE COVER SHEET

Date: January 15, 2004	Client & Matter Number: 014801-000400US	No. Pages (including this one): 15
To: Examiner Paula Kilmach U.S. Patent & Trademark Office	At Fax Number: (703) 872-9306	Confirmation Phone Number: (703) 305-8421
From: Jeanette Olivera, Assistant to Thomas E. Coverstone		(6103)

Message: Re: Ser. No. 09/360,068.

Per our earlier phone conversation, attached is a copy of the Response to Restriction Requirement filed by previous counsel as well as a copy of the fax sent by previous counsel on December 9, attaching a copy of the stamped postcard. If you need any further documentation, please feel free to call me. My direct no. is (858) 350-6103.

Original Will:	BE SENT BY MAIL	BE SENT BY FEDEX/OVERNIGHT COURIER	BE SENT BY MESSENGER	X	NOT BE SENT
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Faxed: Return to: Jeanette M. Olivera - (6103)

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THE STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE AFFIXED
HERETO WILL BE EVIDENCE OF RECEIPT OF THE FOLLOWING (MAILED
August 8, 2003, BY FIRST CLASS MAIL):

CLIENT NO.: 2322-0482 [NFM:HLE:sys]
INVENTOR: PAGE, Kevin J. et al.
SER. NO.: 09/360,068 FILED: 07/23/1999
TITLE: METHOD AND APPARATUS FOR ESTABLISHING A SECURE SMART CARD
COMMUNICATION LINK THROUGH A COMMUNICATION NETWORK

ENCLOSURES:

- Transmittal Form (1p.);
- Fee Transmittal (in duplicate) (2p.);
- Response to Election Requirement (2p.) (in response to Restriction Requirement (Paper No. 10, dated 06/20/03-due: 07/20/03));
- Information Disclosure Statement under 37 C.F.R. §§ 1.97 & 1.98 (2p.);
- Form PTO/SB/08A (1p.);
- 3 References (54p.);
- Check in the amount of \$290 for 1XOT (110) and IDS (100); and
- Return Postcard.

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2.5

PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/360,068	
	Filing Date	07/23/1999	
	First Named Inventor	PAGE, Kevin J.	
	Art Unit	2131	
	Examiner Name	KLIMACH, Paula W.	
Total Number of Pages in This Submission	62	Attorney Docket Number	2322-0482

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08A; Cited References; Postcard Receipt
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	Brown Martin Haller & McClain LLP	
Signature	Heidi L. Eisenhut (Reg No. 46,812)	
Date	08/08/2003	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 08/08/2003		
Typed or printed	Sachiko Y. Snedden	
Signature	<i>Sachiko Y. Snedden</i>	Date 08/08/2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (01-03)

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FEE TRANSMITTAL
for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 290.00**Complete if Known**

Application Number	09/360,068
Filing Date	07/23/1999
First Named Inventor	PAGE, Kevin J.
Examiner Name	KLIMACH, Paula W.
Art Unit	2131
Attorney Docket No.	2322-0482

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	02-4070
Deposit Account Name	Brown Martin Haller & McClain LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 85	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 820*	1804 820*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 65	Extension for reply within first month	110
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1480 130	1480 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 290.00**SUBMITTED BY**

Name (Print/Type) Heidi L. Eisenhut

Registration No. 46,812

Telephone (619) 238-0999

Signature

Heidi Eisenhut

Date

08/08/2003

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
PAGE, Kevin J. *et al.*)
Serial No.: 09/360,068)
Filed: July 23, 1999)

FOR: METHOD AND APPARATUS FOR
ESTABLISHING A SECURE SMART
CARD COMMUNICATION LINK
THROUGH A COMMUNICATION
NETWORK

Group Art Unit: 2131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn.: Examiner Paula W. Klimach

Dear Madam:

Thank you for your call regarding Serial No. 09/360,068. Attached is a copy of the stamped return receipt postcard from OIPE indicating that we sent a response to

I hereby certify that this correspondence is being faxed to Attention:
Examiner Paula W. Klimach, Commissioner for Patents via fax
number (703) 748-9448 on the date indicated below:

December 9, 2003

(Mailing Date)

Linda Thompson

(Typed Name)

(Signature)

December 9, 2003

(Date of Signature)

[Kevin Page 2322-0482 12-08-03.wpd]

- 2 -

Ser. No. 09/360,068

restriction requirement on August 8, 2003 and OIPE received it on August 11, 2003. If you need additional information, please do not hesitate to let me know. Thank you.

Respectfully submitted,

Dated: 12/9/03

By: Heidi Eisenhut
Heidi L. Eisenhut
Attorney for Applicants
Registration No. 46,812

BROWN MARTIN HALLER & McCLAIN LLP
1660 Union Street
San Diego, California 92101

Telephone: (619) 238-0999
Facsimile: (619) 238-0062

Docket No.: 2322-0482

[Kevin Page 2322-0482 12-08-03.wpd]

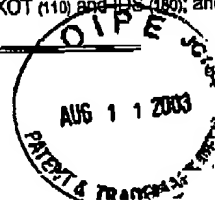
THE STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE AFFIXED
HERETO WILL BE EVIDENCE OF RECEIPT OF THE FOLLOWING (MAILED
August 8, 2003, BY FIRST CLASS MAIL):

CLIENT NO.: 2322-0482 [NFM:HLE:sys]
INVENTOR: PAGE, Kevin J. et al.
SER. NO.: 09/360,088 FILED: 07/23/1999
TITLE: METHOD AND APPARATUS FOR ESTABLISHING A SECURE SMART CARD
COMMUNICATION LINK THROUGH A COMMUNICATION NETWORK

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